

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 3, 5-12, 15, 16, 19, 20 and 22-24 are pending in the present application with Claim 16 having been amended by the present amendment.

In the outstanding Office Action, Claims 16 and 23 were rejected under 35 U.S.C. § 102(b) as anticipated by Manning; Claims 1, 5, 15, 20, 22 and 24 were allowed; and Claim 19 was indicated as allowable if rewritten in independent form.

Applicants thank the Examiner for the indication of allowable subject matter and for the courtesy of an interview extended to Applicants' representative on September 4, 2003. During the interview, the differences between the present invention and the applied art were discussed. No agreement was reached pending the Examiner's further review when a response is filed. Arguments presented during the interview are reiterated below.

Claims 16 and 23 stand rejected under 35 U.S.C. § 102(b) as anticipated by Manning. This rejection is respectfully traversed.

Claim 16 is directed to a semiconductor device including a plurality of element isolation films formed such as to have a predetermined uniform depth from a main surface of the semiconductor substrate. Further, the element isolation films divide the area from the main surface to the depth into a plurality of first regions. The semiconductor device also includes first wells formed in the first regions, respectively, and which are separated from each other via the element isolation films.

In a non-limiting example, Figure 24 illustrates a semiconductor device including first wells W1 that are separated from each other via the element isolation films T. In addition, the element isolation films T are formed such as to have a predetermined uniform depth from a main surface of the semiconductor substrate.

On the contrary, as shown in Figure 6C of Manning, the first wells 95, 116 are not separated from each other via the element isolation film 70, but rather are separated from each other via the element isolation film 70 and the trench 105. During the interview, the Examiner indicated that because Manning teaches that the trench 105 may be filled with polysilicon that is undoped (see column 5, lines 64-67), it would be possible to read the trench as being an element isolation film. However, Applicants note that Claim 16 recites that the element isolation films are formed such as to have a predetermined uniform depth from a main surface of the semiconductor substrate. As shown in Figure 6C, the element isolation films 70 and the trench 105 do not have a uniform depth. Therefore, it is not possible to interpret the trench 105 in Manning as being equivalent to the element isolation films of the claimed invention.

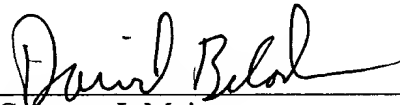
Accordingly, it is respectfully submitted independent Claim 16 and each of the claims depending therefrom are also allowable.

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Reply to Office Action of August 4, 2003

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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